

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 5/13/2021

**SHAWN GIBSON,**

**Plaintiff,**

**1:20-cv-05115-MKV-SN**

**v.**

**Notice of Motion for Attorney's  
Fees Pursuant to the  
Equal Access to Justice  
Act, [28 U.S.C.A. § 2412 \(West\)](#)**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

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**COUNSEL:**

**PLEASE TAKE NOTICE** that upon the annexed affirmation of Howard D. Olinsky, attorney for Plaintiff, and other papers, Plaintiff will make a motion before the Court on a date to be set by the court, for an order:

1. Awarding an Equal Access to Justice Act Counsel Fee for \$1,366.43; and
2. Awarding expenses in the amount of \$17.25; and
3. Awarding costs in the amount of \$400.00;
4. If Plaintiff has no debt registered with the Department of Treasury subject to offset that the fees be made payable to the attorney.

Plaintiff's attorney, Howard D. Olinsky, moves the court for an award to be paid by Defendant under the Equal Access to Justice Act, [28 U.S.C.A. § 2412](#).

There are no special circumstances in this case which make an award under the EAJA unjust.

This motion is supported by an affirmation of Plaintiffs attorney, attached time and cost records and a Waiver of Direct Payment by Plaintiff.

Executed this May 11, 2021

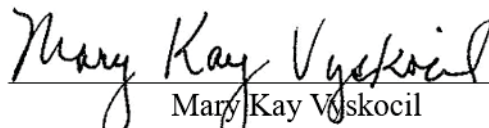
Respectfully submitted,

/s/ Howard D. Olinsky

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**Granted. SO ORDERED.**

Date: May 13, 2021  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge